

### **REMARKS**

Claims 1, 3-5, 7-9, 11-12, 14, 16-18 and 20-25 are pending in this application, as set forth in the listing of claims in the Amendment filed November 23, 2005.

### **35 U.S.C. §103**

Claims 1, 3-5, 7-9, 11-12, 14, 16-18 and 20-25 stand rejected under 35 U.S.C. §102(e) as being unpatentable over Bobde et al. (U.S. Appl. Pub. No. 20030217009 - hereafter "Bobde") and Trinon et al. (US Application Pub. No. 20020138571 - hereafter "Trinon"). These rejections are traversed as follows.

### **DISCUSSION OF TRINON**

**Trinon fails to disclose that a first service of an uppermost level in a service hierarchy is provided by a first service providing means, and second service of a level lower than the first service is provided by a second service providing means, both said first and second service providing means being located on a network and having a dependent relationship**

Trinon is cited as purportedly teaching that "a first service of an uppermost level in a service hierarchy is provided by a first service providing means, and second service of a level lower than the first service is provided by a second service providing means, both said first and second service providing means being located on a network and having a dependent relationship" (pages 3-4 of the Office Action).

Trinon discloses a system and method of enterprise and business impact management. Trinon includes a management backbone composed of three functional layers, namely, a business layer, an abstraction layer, and an access

layer, as shown, e.g., in FIG. 2 of Trinion. The business layer, a high-end layer, is implemented by one or more service processors 115, while the access layer, a low-end layer, is implemented by service processors 130 (see, e.g., par. 0063).

Resources referred to by Trinion include networks, systems, databases, and applications that are distributed over global organizations (see, e.g., par. 0004).

There is a dependency relationship between (a) a resource stored in the same processor and known as the "master resource"; and (b) another resource stored in the same processor or in a remote one, and known as the "dependent resource" (see, e.g., par. 0025). A resource can be involved in multiple dependency relationships, being at the same time a "master resource" in some relationships and a "dependent resource" in other relationships (see, e.g., par. 0025).

The Office Action appears to regard the first service in the present invention as Trinion's master resource, the second service in the present invention as Trinion's dependent resource, the first service providing means of the present invention as Trinion's service processor 115, and the second service providing means of the present invention as the Trinion's service processor 130.

However, Trinion's hierarchical layers, in other words the hierarchical relationship between the service processor 115 and the service processor 130, are independent of the dependency relationships among resources. Trinion does not teach or suggest that the service processor 115 or 130 is included in the resources or that the service processor 130 is dependent on the service processor 115. Note that Trinion's resource is what is stored in any processor (see, e.g., par. 0025).

Moreover, although there is a hierarchical relationship between the service processors 115 and 130, there is not a hierarchical relationship between two resources as mentioned above.

From the foregoing, it is clear that Trinon does not teach "a first service of an uppermost level in a service hierarchy is provided by a first service providing means" as in the present invention. That is also true for a second service of a lower level being provided by a second service providing means, wherein there is a dependent relationship. Thus, since Trinon fails to teach this portion of the claims, as set forth in independent claims 1, 4, 8, 11, 14 and 17, the combination of Trinon and Bobde also fails to teach the claimed invention.

### **DISCUSSION OF BOBDE**

#### **1. Bobde fails to disclose a first service providing means, a second service providing means, a service disclosing means and a service utilizing means**

Further, Bobde also fails to teach a number of the features alleged by the Office Action. For example, a feature of the present invention recited in claim 1 includes a method in a computer system related to a first service providing means, a second service providing means, a service disclosing means, and a service utilizing means.

Bobde, on the other hand, includes a server, one or more first computing devices used by a first user, and a second computing device used by a second user (see, e.g., FIG. 12 of Bobde). In Bobde, the server 312 is capable of processing

messages conforming to a protocol. The first computing device 104 and the second computing device 316 are capable of communicating with one another over a computer network (see, e.g., par. 0024). A first user 313 uses the first computing device 104, while a second user 317 uses the second computing device 316. In order to support the communication of presence information, the server 312 includes various components, such as a program referred to as a presence agent (PA) 152, a registration program (R) 154, and an access control list (ACL) 156 (see, e.g., par. 0024). The presence agent 152 receives requests for presence information from one or more computing devices that act as "watchers", responds to the requests, and generates notifications of changes in the presence of computing devices being "watched" (see, e.g., par. 0024).

Thus, Bobde merely discloses a plurality of first computing devices, second computing devices, and a server. Bobde fails to disclose a first service providing means, a second service providing means, a service disclosing means and a service utilizing means, as recited in claim 1. Accordingly, claim 1 is also patentable over the combination of Bobde and Trignon for this reason.

**2. Bobde fails to disclose that, responsive to an inquiry issued from a service utilizing means, sending by a service disclosing means a location of said first service providing means being under disclosure to said service utilizing means**

Furthermore, paragraph 0050 in Bobde, is cited in the Office Action as teaching that responsive to an inquiry issued from a service utilizing means, sending

by a service disclosing means a location of said first service providing means being under disclosure to said service utilizing means (see page 3 of the Office Action).

However, in paragraph 0050 of Bobde it is disclosed that the newly connected client computing device 311 registers with the server 310. In its capacity as a registrar, the server 310 processes registration request messages received from the first client computing device 311, and establishes as a registration entry for the device in a registration database 316. The registration entry may include the network address of the first client device 311, and a URI (uniform resource indicator) or name pertaining to the user 317 of the first client computing device 311 (see, e.g., par. 0050).

Thus, the Office Action is incorrect in alleging that this paragraph teaches that a service utilizing means issues an inquiry to a service disclosing means, and the service disclosing means sends back to the service utilizing means a location of the first service providing means being under disclosure to the service utilizing means. Accordingly, Bobde does NOT disclose these steps carried out among the service utilizing means and the service disclosing means wherein a location of the first service providing means is sent to the service utilizing means.

**3. Bobde fails to disclose receiving by said first service providing means a service request sent from said service utilizing means to request said second service providing means to provide said second service by using a location of said second service providing means being under non-disclosure**

Additionally, paragraph 0056 in Bobde is cited in the Office Action as teaching receiving by said first service providing means a service request sent from said service utilizing means to request said second service providing means to provide said second service by using a location of said second service providing means being under non-disclosure (see page 3 of the Office Action).

However, paragraph 0056 of Bobde teaches that a server 330 is capable of acting as a proxy and/or registrar for several computing devices 332, 334, 336 and 338. In operating in the Single Point of Registration mode, the server 330 does not allow a user of multiple client devices, in this case the first user 331, to register upon the network from more than one client device at one time.

The present invention is not related to allowing a user of multiple client devices to register upon a network. Rather, the service utilizing means of the present invention sends a service request that is received by the first service providing means. The first service providing means receives the service request that requests the second service providing means to provide a service in response to the service request even though the location of the second service providing means is under non-disclosure to the service utilizing means. This feature of the present invention is not taught by paragraph 0056 of Bobde or any other portion thereof.

**4. Bobde fails to disclose sending back by said second service providing means the requested information to said service utilizing means via said first service providing means**

The Office Action further alleges that paragraph 0026 in Bobde teaches sending back by said second service providing means the requested information to said service utilizing means via said first service providing means.

However, paragraph 0026 teaches that a first computing device 104 generates presence information relating to the first user 313. When the second user 317 wishes to gain access to the presence information of the first user, the second computing device sends the request to the server 312. In response to the message, the presence agent 152 initiates a call to the server 312 to process the message as a presence subscription. In response to the subscription request, the server 312, acting on behalf of the first computing device 104, stores the contents of the request into a data structure 150 (see, e.g., par. 0026). After the subscription request is stored into data structure 150, the server 312 makes a determination as to whether to accept the subscription request (see, e.g., par. 0027). This determination is made according to rules defined by the first user 313 in an access control list (ACL). When the subscription message is accepted by the server 312, the presence agent generates an acceptance message and a NOTIFY message (event 126), which the server 312 sends to the second computing device 316 (see, e.g., par. 0027). The body of the NOTIFY message contains the presence information of the first computing device 104 and/or of the corresponding first user 313. If the presence agent 152 rejects the request, the presence agent 152 generates an acceptance message, and the server 312 does not send presence information to the second computing device 316 (see, e.g., par. 0027).

The present invention is not related to using an access control list for accessing to presence information for the first user from the second user. Rather a feature of the present claims is "sending back by said second service providing means the requested information to said service utilizing means via said first service providing means." On the other hand, Bobde merely discloses that the server answers a request from the second computing device in accordance with an ACL.

Thus, Bobde does NOT disclose that the server gains the requested information from other means under non-disclosure to answer the request from a first means. In other words, Bobde fails to teach sending back by said second service providing means the requested information to said service utilizing means via said first service providing means, particularly when the requested information was sent by the second service providing means in response to a request from the first service providing means using a location of the second service providing means under non-disclosure. Accordingly, claim 1 is patentable over Bobde in this aspect also. The remaining independent claims are directed to the same or similar features as those discussed above, and are similarly patentable for the foregoing reasons.



Appl. No. 10/644,936  
Reply dated February 23, 2006  
Response to Office Action Mailed December 23, 2005

Docket No. NIT-391

**CONCLUSION**

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Colin D. Barnitz', written in a cursive style.

Colin D. Barnitz  
Registration No. 35,061

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.  
1800 Diagonal Rd., Suite 370  
Alexandria, Virginia 22314  
(703) 684-1120  
Date: February 23, 2005